



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बुधवार, 19 जनवरी, 1983/29 पौष, 1904

हिमाचल प्रदेश सरकार

विधि विभाग

अधिसूचना

शिमला-2, 19 जनवरी, 1983

क्रमांक एल० एल० आर०-(डी) (6) 2/83.—पंजाब एक्साइज (रिपील एण्ड वेलीडेशन) अधिनियम, 1983 (1983 का 1) जैसा हिमाचल प्रदेश के राज्यपाल महोदय, द्वारा भारत के संविधान के अनुच्छेद 213 के खण्ड (1) के अन्तर्गत दिनांक 19 जनवरी, 1983 को प्रख्यापित किया गया, को एतद्वारा सर्वसाधारण की जानकारी के लिये राजपत्र, हिमाचल प्रदेश, में प्रकाशित किया जाता है।

वेद प्रकाश भटनागर,
सचिव।

THE PUNJAB EXCISE (HIMACHAL PRADESH REPEAL AND VALIDATION) ORDINANCE, 1983

Promulgated by the Governor of Himachal Pradesh in Thirty-third Year of the Republic of India.

An Ordinance to repeal conditions 77 and 78 of the annual excise announcements for the year 1982-83 retrospectively and to validate the action taken or licenses/permissions already granted for the year ending on 31st March, 1983.

Whereas the Legislative Assembly of Himachal Pradesh is not in session and the Governor of Himachal Pradesh is satisfied that circumstances exist which render it necessary for him to take immediate action;

Now, therefore, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Himachal Pradesh is pleased to make and promulgate the following Ordinance:—

Short title
and com-
mencement.

1. (1) This Ordinance may be called the Punjab Excise (Himachal Pradesh Repeal and Validation) Ordinance, 1983.

(2) It shall be deemed to have come into force with effect from the 12th day of March, 1982.

Repeal.

2. Conditions 77 and 78 of the annual excise announcements for the financial year 1982-83 are hereby repealed and shall be deemed to be not in existence with effect from the date of finalisation of the said conditions, viz., the 12th day of March, 1982.

Validation.

3. Notwithstanding anything contained in—

(a) any judgement, decree or order of any Court;

(b) the Punjab Excise Act, 1914, in force in the State of Himachal Pradesh and the rules, orders and announcements made thereunder; or

(c) any other law for the time being in force; the existing retail vends of country liquor, foreign liquor, beer and country fermented liquor in Himachal Pradesh, opened on or after the 1st day of April, 1982, for the financial year 1982-83, shall continue to function till the 31st day of March, 1983, and shall be deemed always to have been established and functioning in accordance with law as if conditions 77 and 78 of the annual excise announcements for the year 1982-83 did not exist or were not in force at all material times, when such auctions were conducted and accordingly, for the violation of the said conditions—

(i) no suit or other legal proceedings shall be maintained or continued in any Court for restraining the functioning of such liquor vends; and

(ii) no Court shall enforce any decree or order directing the closure of any such vend.

1 of 1914.

4. Anything done or any action taken including auction of the liquor Savings.
vends of country liquor, foreign liquor, beer and country fermented liquor
made for the financial year 1982-83 or license issued or permission granted
under the Punjab Excise Act, 1914 as in force in the State of Himachal
Pradesh and the rules, orders and announcements made thereunder, shall,
so far as it is not inconsistent with the provisions of this Ordinance, continue
in force and be deemed always to have been done, taken, made, issued or
granted, as the case may be, under the said Act, rules, orders and announce-
ments, as amended by this Ordinance.

SIMLA (CAMP DELHI):
The 19th January, 1983.

A. N. BANERJI,
Governor.

V. P. BHATNAGAR
*Secretary (Law) to the
Government of Himachal Pradesh.*

